

Agenda



Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

October 21, 2004

1. INVOCATION – Councilmember Copple

2. PLEDGE OF ALLEGIANCE

3. MINUTES – Councilmember Carter

A. Approval of Council Meeting Minutes

1. Council Executive Session – August 19, September 9, 16 & 30, 2004
2. Council Issue Review Session – August 19, September 9, 16, & 30, 2004
[20041021clrkck01.pdf](#) [20041021clrkck02.pdf](#) [20041021clrkck04.pdf](#)
[20041021clrkck07.pdf](#)
3. Formal Council Meeting – September 16, 2004 [20041021clrkck03.pdf](#)
4. Council Dinner Meeting – September 30, 2004 [20041021clrkck05.pdf](#)
5. Council Joint Meeting with ASU Senior Staff – September 13, 2004
[20041021clrkck06.pdf](#)

B. Acceptance of Board & Commission Meeting Minutes

6. Committee for Youth, Families & Community – August 16, 2004 [20041021yfc01.pdf](#)
7. Community Special Events Task Force – September 28, 2004 [20041021setf01.pdf](#)
8. Design Review Board – August 4 & 18, September 1 & 15, 2004
[20041021drb01.pdf](#) [20041021drb02.pdf](#) [20041021drb03.pdf](#) [20041021drb04.pdf](#)
9. Golf Committee – September 1, 2004 [20041021csmr01.pdf](#)
10. Hearing Officer – October 5, 2004 [20041021ho01.pdf](#)
11. Historic Preservation Commission – September 2, 2004 [20041021hpc01.pdf](#)
12. Human Relations Commission – August 10, 2004 [20041021hrc01.pdf](#)
13. Mayor's Youth Advisory Commission – September 28, 2004 [20041021myac01.pdf](#)
14. Merit System Board – August 23 & September 7, 2004 [20041021msb01.pdf](#)
[20041021msb02.pdf](#)
15. Parks & Recreation Board – September 14, 2004 [20041021csmr02.pdf](#)
16. Redevelopment Review Commission – July 20, August 17, September 7, 2004
[20041021rrc01.pdf](#) [20041021rrc02.pdf](#) [20041021rrc03.pdf](#)

17. Tempe Police Public Safety Personnel Retirement Board – August 5 & September 2, 2004 [20041021ppspr01.pdf](#) [20041021ppspr02.pdf](#)
18. Tempe Police Public Safety Personnel Retirement Board - Executive Session – September 2, 2004

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
 - 5th Annual Rotary River Rally Presentation
 - General Plan 2030 Award
- B. Manager's Announcements

5. CONSENT AGENDA

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

'q-j' indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

A. Miscellaneous

19. Request approval of funding from The Virginia G. Piper Charitable Trust for the Tempe Connections Program and Café in the Tempe Public Library.

COMMENTS: Award totals \$547,644

DOCUMENT NAME: [20041021csjt01.pdf](#) **COMMUNITY SERVICE ADMIN (0701-01)**

20. Request approval to extend the existing contract with the Governor's Safe and Drug Free Schools/Communities Program, and a new award of \$133,116 in federal funds administered through the Governor's Office for Children, Youth and Families.

DOCUMENT NAME: [20041021csjt02.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

21. Request approval of Title V Incentive Grant for Local Delinquency Prevention in federal funds administered through the Governor's Office for Children, Youth and Families.

COMMENTS: Award totals \$85,000.

DOCUMENT NAME: [20041021csjt03.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

22. Request authorization for the Mayor to sign Amendment #1 to Intergovernmental Agreement (#X2004-46) with the City of Phoenix for the transfer of additional funds from

Grant No. AZ 90-X068 for design of the Downtown Tempe Transit Center at 5th and College.

COMMENTS: Increase the amount of funds granted to City of Tempe in the amount of \$1,400,985.

DOCUMENT NAME: [20041021pwdj01.pdf](#) PUBLIC TRANSIT (1106)

23. Request approval of the updated City Council Rules of Procedure.

DOCUMENT NAME: [20041021cckm01.pdf](#) COUNCIL PROCEDURAL RULES (0101-04)

24. Request authorization of an Intergovernmental Agreement between the Arizona Supreme Court's Administrative Office of the Courts and the City of Tempe for the AOC and Tempe Municipal Court to jointly develop a case management system.

COMMENTS: The IGA outlines mutual goals and objectives, defines the project scope, and sets expectations regarding project governance and organization.

DOCUMENT NAME: [20041021ccrr01.pdf](#) COURT ADMINISTRATION (0501-02)

25. Request approval of a federally-funded Housing Specialist I/II position.

DOCUMENT NAME: [20041021dslc01.pdf](#) SECTION 8 HOUSING (0207-03)

26. Request approval to increase Contract P02-0043 with Rehrig Pacific Company by \$25,000 for refuse containers (automated collection).

COMMENTS: City of Peoria Contract P02-0043. Increase from \$50,000 to \$75,000.

DOCUMENT NAME: [20041021fslg02.pdf](#) PURCHASES (1004-01)

27. Request approval of a one-year renewal of Contract T02-022-01 with Southwestern Business Forms for the printing of forms.

COMMENTS: Total amount not to exceed \$37,000.

DOCUMENT NAME: [20041021fslg03.pdf](#) PURCHASES (1004-01)

28. Request approval of a one-year renewal of Contract T04-013-02 with Contractors West, Inc., for traffic pole foundations.

COMMENTS: Total amount not to exceed \$90,000.

DOCUMENT NAME: [20041021fslg04.pdf](#) PURCHASES (1004-01)

29. Request approval of a one-year renewal of Contract #T02-007-01 with Tempe Commercial Carpets and Contract #T02-007-02 with Norcon Industries for carpet, tile and installation.

COMMENTS: Total amount not to exceed \$150,000.

DOCUMENT NAME: [20041021fslg05.pdf](#) PURCHASES (1004-01)

30. Request approval to use a one-year State of Arizona contract (#AD990044-002) with Talley Communication Co., Inc., for microwave antennas and accessories.

COMMENTS: Subject to the execution of the final written contract. Total cost of this contract shall not exceed \$125,000 during the initial contract period.

DOCUMENT NAME: [20041021fst06.pdf](#) **PURCHASES (1004-01)**

31. Request to approve an emergency procurement with Homeland Security Grant Funds for the City of Tempe and ASU Police Departments with Fisher Scientific for personal protective equipment and with HazTech Systems, Inc., for chemical diagnostic equipment.

COMMENTS: Total cost of these purchases shall not exceed \$92,000.

DOCUMENT NAME: [20041021fssl08.pdf](#) **PURCHASES (1004-01)** Emergency Procurement 05-059

32. Request approval of a Preliminary and Final Subdivision Plat by Elna Rae Business Park for three lots and one tract at 1550 West Elna Rae Street.

COMMENTS: (DeMuro Family Trust, property owner) #SBD-2004.77 for a Preliminary and Final Subdivision Plat consisting of three lots and one tract on 2.41 net acres.

DOCUMENT NAME: [20041021dsrl07.pdf](#) **PLANNED DEVELOPMENT (0406)**

- 32a. Request for an Amended Final Subdivision Plat by Professional Complex consisting of one (1) lot located at 7505 South McClintock Drive.

COMMENTS: (Linnox, LLC, property owner) #SBD-2004.76 for an Amended Final Subdivision Plat consisting of one (1) lot on 1.56 net acres.

DOCUMENT NAME: [20041021dsd2k08.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *33. This is a public hearing for the approval of a Series 7 Beer and Wine Bar Liquor License for Nello's 5, Inc., dba Nello's, 1806 E. Southern Avenue.

COMMENTS: Eric C. Gronning, Agent

DOCUMENT NAME: [200401021LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *34. This is a public hearing for the approval of a Series 10 Beer and Wine Store Liquor License for Sunny Jojo, Inc., dba Suntown Mart, 1760 E. Elliot Road.

COMMENTS: Imad G. Odeh, Agent

DOCUMENT NAME: [200401021LIQ2.pdf](#) **LIQ LIC (0210-02)**

- *35. This is a public hearing for the approval of a Series 6 Bar Liquor License for The Beach and Bay Partners, LLC, dba Tavern on Mill, 404 S. Mill Avenue, #101.

COMMENTS: Mark Michna, Agent

DOCUMENT NAME: [200401021LIQ3.pdf](#) LIQ LIC (0210-02)

B. Award of Bids

36. Request to award a one-year contract with two (2) one-year renewal options to Norcon Industries, Inc., for bleachers at the Tempe Sports Complex.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$78,390 during the initial contract period.

DOCUMENT NAME: [20041021fsdl01.pdf](#) PURCHASES (1004-01) IFB#05-036

37. Request to award a sole source contract to Hansen Information Technologies for Geo Results Mobile Computing Integration Software.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$60,000.

DOCUMENT NAME: [20041021fst07.pdf](#) PURCHASES (1004-01) #05-057

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- q-j *38. This is the **introduction and first public hearing** for an Amended General Plan of Development consisting of three phases on 3.96 net acres for Quiktrip #429, and a Final Plan of Development, including a use permit and variance, on 1.87 net acres for Quiktrip #429 Phase I, at 1545 North Scottsdale Road. **The second public hearing is set for November 4, 2004.**

COMMENTS: (Theodore and Beverly Razook, property owners) located at 1545 North Scottsdale Road, including the following:

#SGF-2004.71 for a General Plan of Development consisting of three phases of development including a gas station/convenience store on Phase I, and office building on Phase II and a car wash on Phase III with a total 27,572 s.f. building area on 3.96 net acres, and a Final Plan of Development for Quiktrip #429 Phase I, consisting of 5,104 s.f. for the convenience store and 9,878 s.f. for the fuel canopy for a total of 14,982 s.f. on 1.87 net acres

Use Permit: Allow a 5,104 s.f. convenience store with fuel pumps in the PCC-1 Zoning District.

Variance: Allow a fuel pump facility to be located away from two major arterial intersection streets.

DOCUMENT NAME: [20041021dsd2k05.pdf](#) PLANNED DEVELOPMENT (0406)

- *39. This is the **introduction and first public hearing** for an ordinance to abandon the remaining portions of a 12.5 foot wide alley adjoining the east line of B. Goldman's addition to ASU property east of McAllister. **The second public hearing is set for October 28, 2004.**

DOCUMENT NAME: [20041021PWMG02.pdf](#) ABANDONMENT (0904-02)

ORDINANCE NO. 2004.45

- *40. This is the **introduction and first public hearing** for an ordinance granting a water line easement on a City owned parcel located at 1821 W. Rio Salado Parkway. **The second public hearing is set for October 28, 2004.**

DOCUMENT NAME: [20041021PWMG03.pdf](#) **GRANT OF EASEMENTS (0904-02)**
ORDINANCE NO. 2004.46

D. Ordinances and Items for Second Hearing/Final Adoption

- *41. This is the **second public hearing** for a zoning change and a site plan for Elna Rae Business Park at 1550 West Elna Rae Street.

COMMENTS: (Eugene DeMuro property owner, Bill Clay applicant) located at 1550 W. Elna Rae Street, including the following:

#**ZON-2004.09 Ordinance 808.2004.10** for a zoning change from I-1, Light Industrial to I-2, General Industrial District on 2.41 net acres.

#**SIP-2004.58** for a Site Plan consisting of three buildings totaling 37,097 square feet for office/warehouse (Building "A", 12,544 s.f.; Building "B", 12,353 s.f.; and Building "C", 12,200 s.f.;) on 2.41 net acres.

DOCUMENT NAME: [20041021dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *42. This is the **second public hearing** for an Amended Preliminary Planned Area Development for the Wells Fargo Tempe Operations Center/Data Center Expansion and a Final Planned Area Development for Phase III, at 1305 West 23rd Street.

COMMENTS: (Wells Fargo Corporate Properties, Gaye Butcher, property owner)

#**SPD-2004.65** for an Amended Preliminary Planned Area Development consisting of 530,781 s.f. of total building area and a Final Planned Area Development for Phase III, consisting of 52,500 s.f. for a second-story addition and 40,000 s.f. for a new two-story building, all on 23.49 net acres.

DOCUMENT NAME: [20041021dsd2k02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *43. This is the **second public hearing** for an ordinance authorizing the Mayor to enter into a Conduit Use Agreement and Addendum to Amended License (C97-92) between the City of Tempe and CoxCom, Inc.

DOCUMENT NAME: [20041021crsk01.pdf](#) **COXCOM INC (0802-01)**
ORDINANCE NO. 2004.44

- *44. This is the **second public hearing** for an ordinance granting an easement to Salt River Project (SRP) for electrical lines and appurtenants over the Tempe Town Lake.

DOCUMENT NAME: [20041021PWTG01.pdf](#) **GRANT OF EASEMENTS (0904-02)**
ORDINANCE NO. 2004.36

E. Resolutions

45. Request approval of a resolution authorizing the Mayor to execute an Intergovernmental Agreement between the City of Tempe and the Salt River Pima-Maricopa Indian Community.

COMMENTS: \$250,000 tribal grant for archeological projects.

DOCUMENT NAME: [20041021graw01.pdf](#) **STATE LEGISLATURE (0107-06)**
RESOLUTION NO. 2004.86

46. Request approval of a resolution authorizing the Mayor to execute a Funding Agreement between the City of Tempe, the Salt River Pima-Maricopa Indian Community and Tempe Center for Habilitation.

COMMENTS: \$105,085 tribal grant for TCH adult and children's programming.

DOCUMENT NAME: [20041021graw02.pdf](#) **STATE LEGISLATURE (0107-06)**
RESOLUTION NO. 2004. 87

6. NON-CONSENT AGENDA

7. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

- David Nelson, 1941 E. Caroline Lane, Tempe, re: Charity Event

8. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS